

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|------------------------|---|-------------------|
| C-LINE FARMS, INC. and |) | 4:05CV3277 |
| NUCKLAY FARMS, INC., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | MEMORANDUM |
| |) | AND ORDER |
| CNH AMERICA, LLC., a |) | |
| Delaware Corporation, |) | |
| |) | |
| Defendant. |) | |

This case is set for trial on October 10, 2006. Several motions are pending before the court: a motion for summary judgment filed by the plaintiffs (filing 51), a motion by the defendant to exclude the testimony of the plaintiff's experts (filing 54), a motion for summary judgment filed by the defendant (filing 57), a motion in limine filed by the plaintiffs (filing 77), a motion in limine filed by the defendant (filing 79) and a motion to join a party plaintiff filed by the defendant (filing 89).

Upon due consideration, I will deny all of the motions, without prejudice to reassertion of the motions in limine at the conference to be held immediately prior to jury selection or during trial.

Accordingly,

IT IS ORDERED that the motions in filings 51, 54, 57, 77, 79, and 89 are denied, without prejudice to the reassertion of the motions in limine at the conference to be held immediately prior to jury selection or during trial.

October 3, 2006.

BY THE COURT:

s/Richard G. Kopf
United States District Judge